HIGH COURT OF CHHATTISGARH AT BILASPUR

Division Bench

Coram : **Hon'ble Shri Jagdish Bhalla, Acting C.J. &**
Hon'ble Shri Dilip Raosaheb Deshmukh, J.

M.C.C. No.259 of 2007

Applicant

Bajrang Lal Sen, S/o Shri Ganpat Ram Sen, aged about 45 years, R/o Saraipali, Distt. Mahasamund (C.G.)

versus

Non-Applicants

1. State of Chhattisgarh, Through: the Secretary, Revenue Department, D.K.S. Bhawan, Raipur (C.G.)
2. Collector, Mahasamund, Distt. Mahasamund (C.G.)
3. Sub Divisional Officer (Revenue), Saraipali, Distt. Mahasamund (C.G.)
4. Tahsildar, Saraipali, Distt. Mahasamund (C.G.)
5. The Nagar Panchayat Saraipali, through its Chief Municipal Officer, Saraipali, Distt. Mahasamund (C.G.)
6. Shri Laxman Satpathy, aged about 70 years, S/o Late Jayadev Satpathy, R/o Saraipali, Distt. Mahasamund (C.G.)
7. Ghanshayam Agrawal, aged about 60 years, S/o Late Basant Lal Agrawal, R/o Ward No.4, Saraipali, Distt. Mahasamund (C.G.)
8. Veena Devi, aged about 35 years, W/o Jagdish Lal Agrawal, R/o Ward No.7, Saraipali, Distt. Mahasamund (C.G.)
9. Shri Satyanarayan Agrawal, S/o Late Bisambhar Agrawal, R/o Ward No.13, Saraipali, Distt. Mahasamund (C.G.)
10. Sewaram Agrawal, S/o Birbal Agrawal, R/o Ward No.12, Saraipali, Distt. Mahasamund (C.G.)

APPLICATION FOR RESTORATION OF THE WRIT PETITION (P.I.L.) No.2437/2007

Present : Shri Pushpendra Patel, counsel for the applicant.
Shri G.D.Vaswani, Government Advocate for the State/non-applicants No.1 to 4.

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ORAL ORDER

(Passed on 14th August, 2007)

The following oral order of the Court was passed by **Jagdish Bhalla, Ag. C.J. :**

Heard.

The grounds mentioned in the application for restoration supported with an affidavit are sufficient. However, no courtesy was shown by the petitioner/applicant or his counsel to inform the Court on the date fixed that Shri Ghasi Ram Verma, Senior Advocate is not available. The local counsel, who states that he was busy in other Court, has also not shown courtesy by informing this Court and seeking pass over of the case. However, in the interest of justice, the case, i.e., Writ Petition (P.I.L.) No.2437/2007 is restored to its original number, subject to payment of cost of Rs.5,000/- (Rupees Five Thousand).

Accordingly, the M.C.C. is allowed.

List Writ Petition (P.I.L.) No.2437/2007 on 1st October, 2007.

The cost be deposited with the Registry of this Court before the said date. After deposit of the cost, the Registry shall transfer the same to the Chhattisgarh State Legal Services Authority forthwith.

Sd/-

Acting Chief Justice

Sd-/
Dilip Raosaheb Deshmukh
Judge

Gopal